

FILED

JUN 14 2022

JAN HYLAND DAIGRE, CIRCUIT CLERK

BY _____

**IN THE COUNTY COURT OF
WARREN COUNTY, MISSISSIPPI**

**TOWER LOAN OF MISSISSIPPI, LLC
D/B/A TOWER LOAN OF VICKSBURG**

V.

**MICHAEL REED, BRENDA REED, and
ANY OTHER PARTIES IN POSSESSION
WHETHER KNOWN OR UNKNOWN**

Plaintiff**Civil Action #**

Defendants

COMPLAINT FOR UNLAWFUL ENTRY AND DETAINER

COMES NOW Tower Loan of Mississippi, LLC d/b/a Tower Loan of Vicksburg, hereinafter “Plaintiff” and files this Complaint for Unlawful Entry and Detainer pursuant to Miss. Code, Ann. §11-25-1 et. seq., against Defendants, Michael Reed and Brenda Reed (hereinafter “Defendants”) and any other parties in possession whether known or unknown and in support thereof would show unto the Court the following:

1. Plaintiff is a Mississippi limited liability company with its principal place of business at 406 Liberty Park Court, Flowood, Mississippi 39232.
2. The Defendants, Michael Reed and Brenda Reed, are adult resident citizens of Warren County, Mississippi, who can be served with process at 1828 Heather Drive, Vicksburg, Mississippi 39180. Any unknown parties in possession may also be served at 1828 Heather Drive, Vicksburg, Mississippi 39180. Tower Loan of Mississippi, LLC d/b/a Tower Loan of Vicksburg would respectfully request the authorized person serving process to note on their return the full name of any other unknown party in interest found to be residing at said premises or in possession thereof such that these Defendants may be subject to jurisdiction and venue of this Court.
3. By virtue of a Trustee's Deed dated April 26, 2022, and filed of record in the office of the Chancery Clerk of Warren County, Mississippi as Instrument 395087 in Book 1676 at Page 541 on May 12, 2022 at 11:41 a.m., Tower Loan of Mississippi, LLC d/b/a Tower Loan of Vicksburg is the rightful owner in fee simple with full rights of possession of certain real property described below and commonly referred

to as 1828 Heather Drive, Vicksburg, Mississippi 39180. A true and correct copy of the Trustee's Deed is attached hereto as Exhibit "A" and incorporated herein by reference. The subject property is more particularly described as follows:

COMMENCING AT AN IRON PIN AT THE SOUTHEAST CORNER OF LOT 41 OF THE FREETOWN SURVEY (BOOK GG, PAGE 567), THEN N 2°17' W A DISTANCE OF THREE HUNDRED TWENTY FOUR AND SEVENTY SIX HUNDREDTHS (324.76) FEET, THENCE N 28°35' W ALONG A GRAVEL ROAD A DISTANCE OF FOURTEEN AND SIXTY FIVE HUNDREDTHS (14.65) FEET, THENCE S 87°48' E A DISTANCE OF TWO HUNDRED SIXTY THREE AND FORTY SEVEN HUNDREDTHS (263.47) FEET TO THE EASTERLY RIGHT-OF-WAY OF OAK DRIVE, THENCE NORTHERLY ALONG SAID RIGHT-OF-WAY N 8°55'26" E A DISTANCE OF TWENTY FOUR AND FIVE TENTHS (24.50) FEET, THENCE N 2°12' E A DISTANCE OF SEVENTY SIX AND NINETY THREE HUNDREDTHS (76.93) FEET TO A LOCAL GRAVEL ROAD, THENCE ALONG THE GRAVEL ROAD N 80°12' W A DISTANCE OF SEVENTY AND FIFTY EIGHT HUNDREDTHS (70.58) FEET, THENCE N 82°44' W A DISTANCE OF SIXTY SIX AND THIRTY SIX HUNDREDTHS (66.36) FEET, THENCE S 82°56' W A DISTANCE OF FIFTY THREE AND THIRTY THREE HUNDREDTHS (53.33) FEET, THENCE S 47°31' W A DISTANCE OF SIXTY SIX AND SIXTY ONE HUNDREDTHS (66.61) FEET, THENCE S 28°35' W A DISTANCE OF SIXTY EIGHT AND FOURTEEN HUNDREDTHS (68.14) FEET TO THE POINT OF BEGINNING. BEING IN SECTION 12, TOWNSHIP 16 NORTH, RANGE 4 EAST.

4. The Defendants, Michael Reed and Brenda Reed, and all other individuals, if any, now residing at or in possession of the above described property are presently unlawfully withholding from Tower Loan of Mississippi, LLC d/b/a Tower Loan of Vicksburg possession of the above described property.

5. Tower Loan of Mississippi, LLC d/b/a Tower Loan of Vicksburg has incurred significant costs and expenses because of the actions of the Defendants in this case. The Defendants have caused Tower Loan of Mississippi, LLC to incur these costs by their inability and/or unwillingness to discontinue their unlawful possession of the premises. Such costs and expenses shall be more fully shown upon a hearing of this cause.

WHEREFORE, Tower Loan of Mississippi, LLC demands judgment for possession of the property described herein, that the Defendants, Michael Reed and Brenda Reed, be removed from such property, and for damages from the Defendants' use, occupation, and enjoyment of said property of the Plaintiff from April 26, 2022 through the date possession of the property is returned to Tower Loan of Mississippi, LLC d/b/a

Tower Loan of Vicksburg. Plaintiff further demands judgment for all costs incurred by Tower Loan of Mississippi, LLC d/b/a Tower Loan of Vicksburg due to the actions of the Defendants including, without limitation, a reasonable attorney's fee and all costs of Court and other general relief the Court may deem proper.

Dated this the 13 day of June, 2022.

Respectfully submitted,

TOWER LOAN OF MISSISSIPPI, LLC D/B/A
TOWER LOAN OF VICKSBURG

By: 

John S. Simpson

Michele Clay Arnold

Tyler D. Jordan

Its Attorneys

STATE OF MISSISSIPPI:
COUNTY OF MADISON:

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this 13th day of June, 2022, within my jurisdiction, the within named Tyler D. Jordan, who acknowledged that he/she executed the above and foregoing instrument and that the facts alleged therein are true and correct to the best of his/her knowledge.

(SEAL)




NOTARY PUBLIC

John S. Simpson MSB # 10625
Michele Clay Arnold MSB # 10643
Tyler D. Jordan MSB # 105953
Simpson Law Firm PA
P.O. Box 2058
Madison, MS 39130-2058
(601) 957-6600

TWVKG3-51727

INSTRUMENT
395087
BOOK 1676
PAGE 541
6 PAGES

Prepared by:
John E. Tucker
P. O. Box 320001
Flowood, MS 39232-0001
601-992-0936

Return to:
John E. Tucker
P. O. Box 320001
Flowood, MS 39232-0001
601-992-0936

**STATE OF MISSISSIPPI
COUNTY OF WARREN**

TRUSTEE'S DEED

GRANTOR:
JOHN E. TUCKER, TRUSTEE
P. O. Box 320001
Flowood, MS 39232-0001
601-992-0936

GRANTEE:
TOWER LOAN OF MISSISSIPPI, LLC
1990 S Frontage Rd, Ste F,
Vicksburg, MS 39180
601-638-7861

INDEXING INSTRUCTIONS: Part of Lot 41, Freetown IN Section12, Township 16
North, Range 4 East, Warren County, MS

Exhibit "A"

WHEREAS Michael Reed and Brenda D. Reed executed a Deed of Trust to Tower Loan of Mississippi, LLC, d/b/a Tower Loan of Vicksburg as beneficiary with John E. Tucker as Trustee which deed of trust is dated February 8, 2022 and recorded in Book 1731 at Page 331 in the office of the Chancery Clerk of Warren County, Mississippi; and

WHEREAS, default having been made in the payment of the indebtedness secured by said Deed of Trust and the entire debt secured thereby having been declared due and payable in accordance with the terms of said Deed of Trust and the Beneficiary having called upon the Trustee to execute the trust and foreclose said Deed of Trust according to law;

NOW THEREFORE, I, John E. Tucker, after having given notice of the time, place and terms of sale by publication and by posting and publishing such notice in the manner and for the time required by law by posting such notice on the bulletin board in the appropriate County Courthouse of Warren County, Mississippi and by publishing the notice in the issues of February 16, 23, March 2 and 9, 2022 issues in The Vicksburg Post, a newspaper published in Warren County, Mississippi and having a general circulation therein, did during the legal hours on March 11, 2022 at the West Front Door of the Courthouse of Warren County, in Vicksburg, Mississippi, offer for sale at public auction to the highest bidder for cash in hand the following described property lying and being situated in Warren County, Mississippi, and more particularly described as follows:

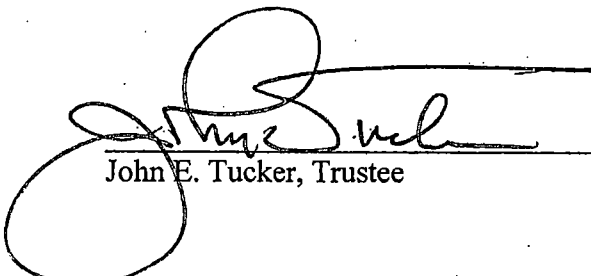
COMMENCING AT AN IRON PIN AT THE SOUTHEAST CORNER OF LOT 41 OF THE FREETOWN SURVEY (BOOK GG, PAGE 567), THENCE N 2° 17' W A DISTANCE OF THREE HUNDRED TWENTY FOUR AND SEVENTY SIX HUNDREDTHS (324.76) FEET, THENCE N 28°35' W ALONG A GRAVEL ROAD A DISTANCE OF FOURTEEN AND SIXTY FIVE HUNDREDTHS (14.65) FEET, THENCE S 87°48' E A DISTANCE OF TWO HUNDRED SIXTY THREE AND FORTY SEVEN HUNDRETHS (263.47) FEET TO THE EASTERLY RIGHT-OF-WAY OF OAK DRIVE, THENCE NORTHERLY ALONG SAID RIGHT-OF-WAY N 8°55'26" E A DISTANCE OF TWENTY FOUR AND FIVE

TENTHS (24.50) FEET, THENCE N 2°12' E A DISTANCE OF SEVENTY SIX AND NINETY THREE HUNDREDTHS (76.93) FEET TO A LOCAL GRAVEL ROAD, THENCE ALONG THE GRAVEL ROAD N 80°12' W A DISTANCE OF SEVENTY AND FIFTY EIGHT HUNDREDTHS (70.58) FEET, THENCE N 82°44' W A DISTANCE OF SIXTY SIX AND THIRTY SIX HUNDREDTHS (66.36) FEET, THENCE S 82°56' W A DISTANCE OF FIFTY THREE AND THIRTY THREE HUNDREDTHS (53.33) FEET, THENCE S 47°31' W A DISTANCE OF SIXTY SIX AND SIXTY ONE HUNDREDTHS (66.61) FEET, THENCE S 28°35' W A DISTANCE OF SIXTY EIGHT AND FOURTEEN HUNDREDTHS (68.14) FEET TO THE POINT OF BEGINNING. BEING IN SECTION 12, TOWNSHIP 16 NORTH, RANGE 4 EAST.

Together with all improvements situated thereon and all appurtenances thereunto
belonging

At that time and place there appeared Tower Loan of Mississippi, LLC, who bid \$52,019.85; said bid being the highest and best bid received by me, and the amount thereof having been paid in cash, receipt of which is hereby acknowledged: I, the undersigned Trustee, do hereby sell and convey the above-described property to Tower Loan of Mississippi, LLC. I am only conveying such interest as is vested in me in my capacity as Trustee.

WITNESS my signature this 26th day of April, 2022.

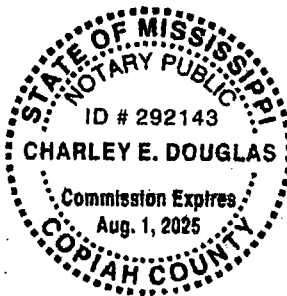


John E. Tucker, Trustee

STATE OF MISSISSIPPI
COUNTY OF RANKIN

Personally came and appeared before me, the undersigned authority in and for the county and state aforesaid, John E. Tucker, Trustee, who acknowledged that in his capacity as Trustee, he signed and delivered the above and foregoing Trustee's Deed on the day and year therein mentioned, he being duly authorized so to do.

WITNESS my hand and official seal, this 26th day of April, 2022.



Charley Douglas
Notary Public

My commission expires: Aug. 1, 2025

**PUBLISHER'S CERTIFICATE
OF PUBLICATION
STATE OF MISSISSIPPI
WARREN COUNTY**

Catherine Boone, being duly sworn, on oath says she is and during all times herein stated has been an employee of Vicksburg Newsmedia publisher and printer of The Vicksburg Post (the "Newspaper"), has full knowledge of the facts herein stated as follows:

1. The Newspaper printed the copy of the matter attached hereto (the "Notice") was copied from the columns of the Newspaper and was printed and published in the English language on the following days and dates:

02/16/22, 02/23/22, 03/02/22, 03/09/22

2. The sum charges by the Newspaper for said publication is the actual lowest classified rate paid by commercial customer for an advertisement of similar size and frequency in the same newspaper in which the Notice was published.

3. There are no agreements between the Newspaper, publisher, manager or printer and the officer or attorney charged with the duty of placing the attached legal advertising notice whereby and advantage, gain or profit accrued to said officer or attorney.

Catherine Boone

Catherine Boone, Publisher

Subscribed and sworn before me
this 28th day of April 2021.



Shandale Goodman

Notary Public,

State of Mississippi

My commission expires JULY 30, 2022

Publisher's Certificate of Publication

STATE OF MISSISSIPPI COUNTY OF WARREN

Catherine Boone, being duly sworn, on oath says she is and during all times herein stated has been an employee of Vicksburg Newsmedia publisher and printer of the The Vicksburg Post (the "Newspaper"), has full knowledge of the facts herein stated as follows:

1. The Newspaper printed the copy of the matter attached hereto (the "Notice") was copied from the columns of the Newspaper and was printed and published in the English language on the following days and dates:

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2. The sum charged by the Newspaper for said publication is the actual lowest classified rate paid by commercial customer for an advertisement of similar size and frequency in the same newspaper in which the Notice was published.

3. There are no agreements between the Newspaper, publisher, manager or printer and the officer or attorney charged with the duty of placing the attached legal advertising notice whereby any advantage, gain or profit accrued to said officer or attorney.

My commission expires 07-30-2022

Catherine M. Boone

Catherine Boone, Publisher

Account # 194812

Subscribed and sworn to before me this 9th Day of March, 2022

TOWER LOAN
PO BOX 320001
FLOWOOD MS 39232

Shandale Goodman

Shandale Goodman, Notary Public
State of Mississippi
My commission expires 07-30-2022

Account # 194812
Ad # 1391421

TOWER LOAN
PO BOX 320001
FLOWOOD MS 39232

PUBLIC NOTICE

TRUSTEE'S NOTICE OF SALE

WHEREAS Michael Reed and Brenda D. Reed executed a Deed of Trust to Tower Loan of Mississippi, LLC, d/b/a Tower Loan of Vicksburg, as beneficiary, with John E. Tucker as Trustee, which Deed of Trust is dated February 9, 2018 and recorded in Book 1731 at Page 331 in the office of the Chancery Clerk of Warren County, Mississippi and WHEREAS a Scrivener's Affidavit was filed correcting the name of the Deed of Trust to be Tower Loan of Mississippi, LLC, and

WHEREAS default having been made in the payment under said Deed of Trust and the entire debt secured thereby having been declared due and payable in accordance with the terms thereof, and the holder of that Deed of Trust having called upon me as Trustee to execute the trust and make foreclosure thereof according to law and the terms of said Deed of trust for the purpose of raising said sum so secured and unpaid; together with the expenses of selling same, including trustees and attorney fees;

NOW THEREFORE, I, John E. Tucker, Trustee, do hereby give notice that I will offer for sale at public outcry and sell to the highest bidder for cash in hand the following described real property at the West Front Door of the Courthouse of Warren County, Mississippi at Vicksburg, Mississippi on March 11, 2022 during legal hours, between 11:00 am and 4:00 pm, such property lying and being situated in Warren County, Mississippi, and more particularly described as follows:

COMMENCING AT AN IRON PIN AT THE SOUTHEAST CORNER OF LOT 41 OF THE FREETOWN SURVEY (BOOK GG, PAGE 567), THENCE N 2°17' W A DISTANCE OF THREE HUNDRED TWENTY FOUR AND SEVENTY SIX HUNDREDTHS (324.76) FEET, THENCE N 28°35' W ALONG A GRAVEL ROAD A DISTANCE OF FOURTEEN AND SIXTY FIVE HUNDREDTHS (14.65) FEET, THENCE S 87°48' E A DISTANCE OF TWO HUNDRED SIXTY THREE AND FORTY SEVEN HUNDRETHS (263.47) FEET TO THE EAST-ERLY RIGHT-OF-WAY OF OAK DRIVE, THENCE NORTHERLY ALONG SAID RIGHT-OF-WAY N 8°55'26" E A DISTANCE OF TWENTY FOUR AND FIVE TENTHS (24.50) FEET, THENCE N 2°12' E A DISTANCE OF SEVENTY SIX AND NINETY THREE HUNDREDTHS (76.93) FEET TO A LOCAL GRAVEL ROAD, THENCE ALONG THE GRAVEL ROAD

N 80°12' W A DISTANCE OF SEVENTY AND FIFTY EIGHT HUNDREDTHS (70.58) FEET, THENCE N 82°44' W A DISTANCE OF SIXTY SIX AND THIRTY SIX HUNDREDTHS (66.36) FEET, THENCE S 82°56' W A DISTANCE OF FIFTY THREE AND THIRTY THREE HUNDREDTHS (53.33) FEET, THENCE S 47°31' W A DISTANCE OF SIXTY SIX AND SIXTY ONE HUNDREDTHS (66.61) FEET, THENCE S 28°35' W A DISTANCE OF SIXTY EIGHT AND FOURTEEN HUNDREDTHS (68.14) FEET TO THE POINT OF BEGINNING, BEING IN SECTION 12, TOWNSHIP 16 NORTH, RANGE 4 EAST.

I shall convey only such title as is vested in me as Trustee.

Dated this the 1st day of February, 2022.

John E. Tucker, Trustee P.
O. Box 320001 Flowood, MS
39232-0001 601.992-0936
601-992-5176

The Vicksburg Post: Feb. 16, 23, March 2 and 9, 2022
FC/REED

*****FILED*****

MAY 12 2022 11:41 AM

Instrument 395087

Book 1676 Page 541

Warren County Mississippi

Donna F. Hardy, Chancery Clerk

